

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 10, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - GPA-22587 - APPLICANT: NOELLE SORELL -
OWNER: BISHOP ROBERT BURGESS**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request to Amend a portion of the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to ML (Medium Low Density Residential) on 2.49 acres at the southeast corner of Roberta Lane and Apricot Lane.

The proposed land use amendment involves a project parcel surrounded by existing developed and undeveloped rural property with the eastern, western, and southern sides bordering unincorporated Clark County. The proposed land use change to allow a more intensive residential use is considered inappropriate for this area of the city and uncomplimentary with Clark County rural residential areas south of the project site. Staff recommendation is denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
4/14/06	The City of Las Vegas annexed (ANX-10579) 2.5 acres generally located on the southeast corner of Roberta Lane and Apricot Lane.
12/07/06	The Planning Commission accepted a request from the applicant to Withdraw without Prejudice an application for a Site Development Plan Review (SDR-16849) and related Special Use Permit (SUP-16850) for an 11,590 square foot church with Waivers of perimeter landscape buffers on a 2.5 acre site.
7/26/07	The Planning Commission accepted a request to abey this item until the 9/13/07 Planning Commission Meeting.
9/13/07	The applicant requested to table this item until the 9/27/07 Planning Commission Meeting.
9/27/07	The applicant requested to table this item until the 12/06/07 Planning Commission Meeting in order to meet with the neighbors regarding the design of the proposal.
12/06/07	The applicant requested to table this item until the 1/10/08 Planning Commission Meeting in order to revise the renderings of the proposal.
12/12/07	Planning and Development staff contacted the applicant's representative and suggested revisions to the site plan. Staff also offered to meet with the applicant. As of this date, the applicant has not submitted revised plans or called to set up a meeting with staff.
<i>Related Building Permits/Business Licenses</i>	
There are no Building Permits or Business Licenses associated with this property.	
<i>Pre-Application Meeting</i>	
4/16/07	A pre-application meeting was held by Planning staff with the applicant to explain the submittal requirements for a General Plan Amendment, Variance, Rezoning, and Site Development Plan Review to develop 11 single family units on 2.49 acres.

Neighborhood Meeting	
6/28/07	A neighborhood meeting was held by the applicant and was attended by 13 members of the public, Councilman Barlow (Ward 5), a representative from the Planning and Development Department, and two applicants. Project concerns were voiced by the public in regards to lot size, building height, site access, traffic impacts, and a request to age restrict any proposed future community development.
Field Check	
6/21/07	A site visit was conducted to the site and the property is an undeveloped dirt lot surrounded by low density residential to the south, east, and west, and medium low density residential to the north.

Details of Application Request	
Site Area	
Gross Acres	2.49 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped dirt lot	R (Rural Density Residential)	U (Undeveloped) [R (Rural Density Residential)]
North	Single-family Residential	R (Rural Density Residential)	R-PD6 (Residential Planned Development – 6 units per acre)
South	Clark County - Rural residential	R (Rural Density Residential)	Clark County - Rural residential
East	Clark County - Rural residential	R (Rural Density Residential)	Clark County - Rural residential
West	Clark County - Rural residential	R (Rural Density Residential)	Clark County - Rural residential

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

ANALYSIS

- **R (Rural Density Residential)**

The Rural Density Residential category is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural Land Use category, but with a smaller allowable lot size. This category allows up to 3.59 units per acre.

- **L (Low Density Residential)**

The Low Density Residential category permits single family detached homes, manufactured homes on individual lots, gardening, home occupations, and family child care facilities. This category allows up to 5.49 units per acre.

The project site is an undeveloped 2.49 acre parcel surrounded by undeveloped and developed low density residential uses immediately south, east, and west (Clark County), and a developed residential planned district north of the subject site (City of Las Vegas). The proposal to designate the land use to L (Low Density Residential) from R (Rural Density Residential) will allow for future development of up to 5.49 dwelling units per acre where as the rural land use permits 3.59 dwelling units per acre. The subject parcel is zoned U (R) [Undeveloped (Rural Density and has a related request for a Rezoning (ZON-23373) to the R-PD4 (Residential Planned Development – 4 unit per acre) that accompanies this request.

The property south, east, and west are all within Clark County jurisdiction and are under the R (Rural Density Residential) General Plan Land use Designation. Although a neighboring R-PD6 (Residential Planned Development – 6 units per acre) exists north of the project site, the underlying zone for this subdivision does not conform to the General Plan land use designation of R (Rural Residential) for the site when it was Annexed (A-0063-99) in 5/12/2000.

Staff considers the proposed change in land use to L (Low Density Residential) General Plan Land Use Designation inappropriate for this location as the proposal will allow for an 0.82 unit-per-acre increase in residential intensity that has deemed incompatible with the less intensive unincorporated Clark County properties adjacent to the east, west, and south of the site.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The proposed density allowable under the L (Medium Low Density Residential) land use designation is considered incompatible with the existing developed and undeveloped rural designated land. The L (Low Density Residential) designation permits up to 5.49 dwelling units per acre while the existing R (Rural Residential) designated land permits 3.59 dwelling units per acre. The proposed density of this 11-lot residential subdivision has been calculated out to 4.41 dwelling units per acre. Although the subject site and the surrounding area are not part of the Rural Preservation Overlay District, the L (Low Density Residential) land use will allow a 0.82 unit-per-acre increase in density greater than the unincorporated Clark County property surrounding three sides of this subject site.

- 2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The permissible zoning districts affiliated with the proposed change in land use are the R-1 (Low Density Residential) and R-MHP (Residential Mobile/Manufactured Home Park) Zoning Districts. The proposed density of this project (4.41 dwelling units per acre) is slightly higher than the allowable density (3.59 dwelling units per acre) on the adjacent areas south, east, and west of the subject parcel within Clark County. It is important to note that this proposal is lower in density than the existing R-PD6 (Residential Planned Development – 6 units per acre) residential subdivision to the north. The applicant has sought to reduce the potential affects on the rural character of the properties to the east, west, and south by proposing an architecturally compatible design. The provision of wrap-around front porches, higher ratio of varying models with low lot coverage, and material finishes such as clapboard siding allow the 11-lot subdivision to maintain an appearance that is more rural in character than the existing residential subdivision to the north.

- 3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

Streets, roads, and utility infrastructure are available within the project area. The site is accessed from Roberta Lane. Although there are no parks or recreation facilities located within ½ mile radius of the project parcel, the applicant has provided a 4,153 square-foot landscaped open space centrally located in the development.

- 4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

The proposed land use amendment is not located within any adopted neighborhood, specific or master plan area. Although the subject site of the proposed amendment is not located within the Rural Preservation Overlay District, the 0.82 unit-per-acre increase in density from the existing R (Rural Density Residential) General Plan Land Use Designation does not conform to the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 345

APPROVALS 33

PROTESTS 11